IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

PUBLIC INTEREST LITIGATION NO.42 OF 2004

Shri Venkatesh Dhondo Kulkarni & Ors. : Petitioners

V/s.

The Executive Engineer, Public Works Division,
Miraj & Ors. : Respondents

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Mr. Y.S. Jahagirdar instructed by Mr.Ranjit More for the petitioners.
Mr. Y. D. Mulani, Assistant Government Pleader for respondent Nos.1 to 5.
Mr.R. S. Apte for respondent No.6.

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CORAM : DALVEER BHANDARI, C.J. &
S.A. BOBDE, J.

DATE : MARCH 16, 2005.

P.C.:

1. This petition has been filed with the prayer that respondent nos.1 to 5 be directed to take over the project, viz., Major Bridge across River Krishna on Nagpur Vardha Yeotmal Miraj Kolhapur Road.

2. It is also prayed that respondent Nos.1 to 5 be directed to make toll free the project, viz., New Major Bridge across River Krishna on Nagpur Vardha Yeotamal Miraj Kolhapur Road. It is

further prayed that pending the hearing of the petition, respondent Nos.1 to 5 be directed to make toll free the project.

3. The learned counsel for the respondents has drawn our attention to a decision of a Division Bench of this Court in Sameer Surendra Desai v. State of Maharashtra (2004 (4) All MR 47). Similar petition was filed regarding the same subject-matter which was rejected by a detailed order passed by the Division Bench of this Court. In view of the said judgement of this Court, we do not find any merit in this petition and the petition deserves to be dismissed and we order accordingly.

Sd/-

CHIEF JUSTICE

Sd/-

S.A. BOBDE, J.